

AMENDED IN ASSEMBLY APRIL 21, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

## ASSEMBLY BILL

No. 735

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**Introduced by Committee on Agriculture (Galgiani (Chair), Tom Berryhill (Vice Chair), Arambula, Conway, Fuller, Ma, Mendoza, and Yamada)**

February 26, 2009

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An act to amend Sections 72027, 72051, and 72060 of the Food and Agricultural Code, relating to wheat.

### LEGISLATIVE COUNSEL'S DIGEST

AB 735, as amended, Committee on Agriculture. California Wheat Commission.

Existing law establishes in state government the California Wheat Commission, which is composed of 15 members who are wheat producers and who are not handlers, 2 members who are handlers, and one public member.

This bill would change the composition of this commission to 13 members who are wheat producers and who are not handlers, 2 members who are handlers, 2 at-large members, and one public member. Each at-large member would be required to be a person with knowledge, expertise, and interest in wheat production, handling, research, or any other attribute or attributes that are deemed by the secretary to be of value to the purpose of the commission.

*Existing law provides that a quorum of the California Wheat Commission shall be any 10 commissioners.*

*This bill would instead provide that a quorum shall be a majority of the commissioners.*

Existing law regarding the California Wheat Commission establishes 15 districts comprised of counties and other geographic areas.

This bill would reduce the number of districts to 13, would change the boundaries of the districts, and would authorize the number of districts to be changed by a  $\frac{2}{3}$  vote of the commission, ~~which as long as proper notice is provided to all persons subject to the laws governing the commission and the action of the commission~~ is concurred in by the secretary, to ensure proper representation by producers.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 72027 of the Food and Agricultural Code  
2     is amended to read:  
3     72027. “Districts” shall consist of the following:  
4     (a) District 1 consists of Siskiyou, Tehama, Lassen, Modoc, and  
5     Shasta Counties.  
6     (b) District 2 consists of Butte, Colusa, Glenn, and Lake  
7     Counties.  
8     (c) District 3 consists of Napa, Sonoma, Yolo, Amador, El  
9     Dorado, Placer, Yuba, Nevada, Sutter, and Sierra Counties and  
10    that portion of Sacramento County lying north of Road J-11 and  
11    east of the Sacramento River from Walnut Grove to Courtland.  
12    (d) District 4 consists of Solano County and that portion of  
13    Sacramento County not included in District 3.  
14    (e) District 5 consists of Alameda, Contra Costa, Stanislaus,  
15    and San Joaquin Counties.  
16    (f) District 6 consists of Merced and Madera Counties.  
17    (g) District 7 consists of Fresno County.  
18    (h) District 8 consists of Kings and Tulare Counties.  
19    (i) District 9 consists of Kern County.  
20    (j) District 10 consists of Santa Barbara, San Luis Obispo,  
21    Monterey, and San Benito Counties.  
22    (k) District 11 consists of San Bernardino, Riverside, San Diego,  
23    Los Angeles and Ventura Counties.  
24    (l) District 12 consists of that part of Imperial County lying  
25    north of Keystone Road.  
26    (m) District 13 consists of that part of Imperial County lying  
27    south of Keystone Road.

1 The number of districts and boundaries of any district may be  
2 changed by a two-thirds vote of the commission, ~~which as long~~  
3 *as proper notice is provided to all persons subject to this chapter*  
4 *and the action of the commission* is concurred in by the secretary,  
5 to ensure proper representation by producers. These boundaries  
6 need not coincide with county lines.

7 SEC. 2. Section 72051 of the Food and Agricultural Code is  
8 amended to read:

9 72051. There is in the state government the California Wheat  
10 Commission. The commission shall be composed of 13 members  
11 who are wheat producers and who are not handlers, two members  
12 who are handlers, two at-large members, and one public member.  
13 The producers, one from each district, shall be elected by and from  
14 producers within the respective districts. The two handler members  
15 shall be elected by and from handlers doing business within the  
16 state.

17 The at-large members and the public member shall be appointed  
18 to the commission by the secretary from the nominees  
19 recommended by the commission. Each at-large member shall be  
20 a person with knowledge, expertise, and interest in wheat  
21 production, handling, research, or any other attribute or attributes  
22 that are deemed by the secretary to be of value to the purpose of  
23 the commission.

24 The secretary and other appropriate individuals as determined  
25 by the commission shall be nonvoting ex officio members of the  
26 commission.

27 SEC. 3. Section 72060 of the Food and Agricultural Code is  
28 amended to read:

29 72060. A quorum of the commission shall be a majority of the  
30 commissioners. Except as provided in Sections 72027 and 72133,  
31 the vote of a majority of members present at a meeting at which  
32 there is a quorum shall constitute the act of the commission.